

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

AUTO-OWNERS INSURANCE COMPANY,)	
)	
Plaintiff,)	Case No: 1:19-CV-00066-SNLJ
)	
v.)	
)	
BLAIR LEASING, LLC,)	
)	
Defendant.)	
_____ /)	
)	
BLAIR LEASING, LLC,)	
)	
Counter-Plaintiff,)	
)	
v.)	
)	
AUTO-OWNERS INSURANCE COMPANY,)	
)	
Counter-Defendant.)	
_____ /)	

**DEFENDANT/COUNTER-PLAINTIFF'S *DAUBERT* MOTION TO
EXCLUDE TESTIMONY OF JOHN D. LAVIN**

COMES NOW Defendant/Counter-Plaintiff Blair Leasing, LLC, by and through the undersigned Counsel, and, pursuant to Fed. R. Evid. 702 and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), respectfully moves this Court for an Order excluding the testimony, in whole or in part, of Plaintiff/Counter-Defendant Auto-Owners Insurance Company's designated expert, John D. Lavin.

As required by Local Rule 7 – 4.01 of the Local Rules of the Eastern District of Missouri, the factual and legal grounds for this Motion are set forth in Defendant/Counter-Plaintiff's Memorandum of Law in Support of its *Daubert* Motion to Exclude the

Testimony of John D. Lavin. Additionally, Plaintiff/Counter-Defendant hereby adopts and incorporates as if fully set forth herein said Memorandum of Law in support of the instant Motion, which is filed contemporaneously herewith.

WHEREFORE, based upon the argument and law presented in the contemporaneously filed Memorandum of Law, as well as the evidence attached thereto, Defendant/Counter-Plaintiff requests the Court enter an Order excluding the testimony of John D. Lavin at the time of trial.

Respectfully submitted,

/s/ J. Drew Houghton

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th of July, 2020, a true and correct copy of the foregoing was served via CM/ECF upon:

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/s/ J. Drew Houghton

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